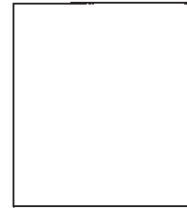




## SHEFFIELD CITY COUNCIL Committee Report



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 25<sup>th</sup> November 2015

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**Subject:** Licensing Act 2003

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**Author of Report:** Andrew Ruston – 2734264

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**Summary:** For members to consider an application for the summary review of a premises licence under the Licensing Act 2003.

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**Recommendations:** That members note the content of the report and any further information supplied.

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**Background Papers:**

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**Category of Report:** OPEN

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**REPORT OF THE CHIEF LICENSING OFFICER, HEAD OF LICENSING, TO  
THE LICENSING SUB COMMITTEE.**

**LICENSING ACT 2003 – 88/15**

**Summary Review of Premises Licence : Serious Crime and Disorder**

**Viper Lounge/Viper Rooms, 35&35a Carver Street, Sheffield, S1 4FS.**

**1.0 PURPOSE OF REPORT**

- 1.1 To consider an application for the summary review of a premises licence made under Section 53A of the Licensing Act 2003 in relation to the premises known as Viper Lounge/Viper Rooms, 35&35a Carver Street, Sheffield, S1 4FS.
- 1.2 A copy of the current premises licence is attached at Appendix 'A'.
- 1.3 A meeting was held on 29<sup>th</sup> October 2015 to give consideration as to whether it was necessary to take interim steps following the application for Summary Review of the premises licence received on 28<sup>th</sup> October 2015. A copy of an email sent to the premises licence holders solicitors on 29<sup>th</sup> October 2015 detailing the interim steps taken is attached at Appendix 'B'.
- 1.4 The Premises Licence holder made representation against the decision of the Licensing Sub Committee at the meeting held on the 29<sup>th</sup> October 2015 and therefore a further meeting was held on 2<sup>nd</sup> November 2015 to consider the representations. Prior to the meeting, the premises licence holder presented a document entitled "Viper rooms management action plan", which was circulated to the parties to the hearing. A copy of the aforementioned plan is attached at Appendix 'C'. Attached at Appendix 'D' to the report is a copy of the decision of the Licensing Sub Committee of the Council at the hearing on 2<sup>nd</sup> November 2015.

**2.0 THE APPLICATION**

- 2.1 The applicant is South Yorkshire Police.
- 2.2 The application and certificate, which were received on 28<sup>th</sup> October 2015, are attached to this report labelled Appendix 'E'.
- 2.3 The grounds for the review are that in the opinion of a senior police officer, the premises are associated with serious crime or disorder or both.
- 2.4 The application form details further the grounds for review.

**3.0 REASONS FOR REFERRAL**

- 3.1 The Licensing Authority must under the Act refer any application for review made under section 53A to the Licensing Board.

- 3.2 The Licensing Authority has, during the representation period received representations from the following:-
- a) South Yorkshire Police – Appendix 'F'
- 3.3 The chief officer of police who made the application, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no specific financial implications arising from this application. However additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

#### **5.0 THE LEGAL POSITION**

- 5.1 Section 53A of the 2003 Act as amended by the Violent Crime Reduction Act 2006 and The Licensing Act 2003 (Summary Review of Premises Licences) Regulations 2007 came into force on 1 October 2007
- 5.2 The new procedures allow a quick process for attaching interim conditions to a licence and a fast track licence review when the police consider that the premises concerned is associated with serious crime or serious disorder (or both).
- 5.3 The Licensing Act 2003 at section 53A requires that the Licensing Authority must-
- (a) hold a hearing to consider the application for the review and any relevant representations;
  - (b) take such steps mentioned in subsection (3) (if any) as it considers necessary for the promotion of the licensing objectives; and
  - (c) secure that, from the coming into effect of the decision made on the determination of the review, any interim steps having effect pending that determination cease to have effect (except so far as they are comprised in steps taken in accordance with paragraph (b)).
- 5.4 Section 53C(3) states:
- “The steps are –
- a) The modification of the conditions of the premises licence;
  - b) The exclusion of a licensable activity from the scope of the licence;
  - c) The removal of the designated premises supervisor from the licence;
  - d) The suspension of the licence for a period not exceeding three months; or
  - e) The revocation of the licence.
- (4) For the purpose of subsection (3)(a) the conditions of a premises licence are modified if any of them is altered or omitted or any new condition added.”
- 5.5 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect only for a specified period (not exceeding three months).

5.6 The Licensing Act 2003 at section 53C(11) states that:

"A decision under this section does not have effect until –

- a) the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, the time the appeal is disposed of."

5.7 The Licensing Act 2003 at section 4(1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

5.8 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of the Licensing Policy and any guidance issued by the Secretary of State under Section 182.

## **6.0 HEARINGS REGULATIONS**

6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'G'.

6.3 Attached at Appendix 'G' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

## **7.0 APPEALS**

7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

## **8.0 RECOMMENDATIONS**

8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.4 above that the Board consider necessary for the promotion of the Licensing Objectives.

## 9.0 OPTIONS OPEN TO THE BOARD

9.1 To authorise the Chief Executive of Legal and Governance to:

- a) modify the conditions of the licence;
- b) exclude a licensable activity from the scope of the licence;
- c) remove the designated premises supervisor for the licence;
- d) suspend the licence for a period not exceeding three months; or
- e) revoke the licence.

Steve Lonnia,  
Chief Licensing Officer, Head of Licensing  
Business Strategy and Regulation  
Place Portfolio  
Block C, Staniforth Road Depot  
Sheffield  
S9 3HD.

25th November 2015

# APPENDIX A

**Licensing Services**  
**Block C, Staniforth Road Depot**  
**Staniforth Road**  
**Sheffield**  
**S9 3HD**

Tel: 0114 273 4264 Fax: 0114 273 5410  
E-mail: [general.licensing@sheffield.gov.uk](mailto:general.licensing@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk/licensingact](http://www.sheffield.gov.uk/licensingact)  
Date: 17 December 2013

Mr Ian Harries  
Harewood (Viper Rooms) Ltd  
2 Kings Road  
Harrogate  
HG1 1BT

Dear Sir,

**Licensing Act 2003: Variation of a Premises Licence**  
**Premises:** Viper Rooms (fka Cellar 35), 35 Carver Street, Sheffield, S1 4FS  
**Premises Licence Number:** SY 1762 PR

I enclose:

a) **the premises licence**; and  
a) **the premises licence summary**  
for the above named premises.

Please check both documents carefully, including all attached papers, and ensure that all details are correct. If they are not, please contact us immediately.

Please also be aware of the following:

- The original (or a certified copy) of the **entire premises licence** must be kept on the premises and available for inspection at all times. This includes any annexes, appendices & other related documents.
- The original (or a certified copy) of the **premises licence summary** must be prominently displayed at the premises.
- Failure to comply with any conditions attached to a licence is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.

You must inform the Licensing Authority if you wish to do any of the following:

- Vary the licence;
- Vary the Designated Premises Supervisor (DPS) named on the licence;
- Transfer the licence; or
- Surrender the licence.

You must also inform us if the premises licence holder or DPS change their name or address.

Should you wish to make any changes to the licence, please contact us for the relevant forms or refer to the website for information at [www.sheffield.gov.uk/licensingact](http://www.sheffield.gov.uk/licensingact). The original premises licence and premises licence summary must be returned for amendment and accompanied by the required fee (if applicable).

If the original premises licence or premises licence summary is lost or stolen, you must report this to South Yorkshire Police and immediately forward us a statement containing the incident number and/or the officer's details to whom it has been reported and a fee of £10.50 for the replacement.

Finally, an annual fee is payable on this licence each year on the anniversary the licence was granted.

Please ensure you make a record of the date your annual fee is due.

**Your licence was granted on 6 May 2008.  
Your annual fee will be due each year on this date.**

**Failure to pay the annual fee when it is due will lead to your licence being suspended.**

Please contact me if you have any queries.

Yours faithfully

Georgina Hollis  
Licensing Officer

Enquiries to: **0114 2734264 / 0114 2734880**  
Enc.



## THE LICENSING ACT 2003

**Premises Licence No: SY 1762 PR      ISSUE NO: 7.**

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

### **PART 1 – Premises details**

Viper Rooms (fka Cellar 35)  
35 Carver Street  
Sheffield  
S1 4FS

**Telephone Number:** 0114 272 6594

**Where the licence is time limited, the dates:**

Not applicable.

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:**

#### **1. Provision of regulated entertainment:**

**Films**

**Indoor Sporting Events**

**Live Music**

**Recorded Music**

**Performances of Dance**

**Anything of a similar description to live music, recorded music or performances of dance**

Indoors

Sunday - Thursday	10:00 to 04:00 hours the following day
Friday - Saturday	10:00 to 05:30 hours the following day
Boxing Night (26.12)	10:00 to 05:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays before Bank holidays	12:00 to 06:00 hours the following day

An additional hour on the day when British Summertime commences.

#### **2. Sale by retail of alcohol:**

a) for consumption on the premises

b) for consumption off the premises

Sunday - Thursday	10:00 to 04:00 hours the following day
Friday - Saturday	10:00 to 05:30 hours the following day
Boxing Night (26.12)	10:00 to 05:30 hours the following day

New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays before Bank holidays	12:00 to 06:00 hours the following day

An additional hour on the day when British Summertime commences.

**The opening hours of the premises are:**

Sunday - Thursday	10:00 to 04:30 hours the following day
Friday - Saturday	10:00 to 06:00 hours the following day
Boxing Night (26.12)	10:00 to 06:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays before Bank holidays	12:00 to 06:00 hours the following day

An additional hour on the day when British Summertime commences.

**PLEASE NOTE:**

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Sale by retail of alcohol for consumption both on and off the premises.

**PART 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:**

Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT

**Telephone Number:** 07851603034

**Registered number of holder, for example company number, charity number (where applicable):**

07614493

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

David Robert Burgees  
30 Devonshire Road  
Dore  
Sheffield  
S17 3WT

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Personal Licence Number:** SY 2392 Per  
**Issuing Authority:** Sheffield City Council

**State whether access to the premises by children is restricted or prohibited:**

Prohibited

**This Premises Licence shall be in force from the 6 May 2008.**

**Issued on: 23 June 2008.**



.....  
**Steve Lonnia**  
**Chief Licensing Officer, Head of Licensing Services**  
**On behalf of Sheffield City Council (issuing licensing authority)**

<b>Sheffield City Council – For Office use only</b>	
Variation of Premises Licence	No: 3 Issue Date: 10/12/2013
Variation of DPS	No: 2 Issue Date: 19/08/2013
Transfer of Premises Licence	No: 2 Issue Date: 04/08/2011
Minor Variation	No: 1 Issue Date: 28/09/2011
Change of Name/Address	No: 1 Issue Date: 09/12/2011
Amendment to Premises Licence	
Review	
Summary Review	

## **Annex 1A – Mandatory Conditions**

### **Mandatory Condition 1 (Section 19 ss 2)**

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence –

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (a) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

### **Mandatory Condition 2 (Section 19 ss 3)**

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **Mandatory Condition 3 (Section 20)**

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
  - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
  - (a) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
  - “children” means persons aged under 18; and
  - “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### **Mandatory Condition 4 (Section 21)**

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

## **Annex 1B - Mandatory Conditions effective from 6<sup>th</sup> April 2010:**

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

### **Annex 1C - Mandatory Conditions effective from 1st October 2010:**

**These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.**

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that—
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) Customers are made aware of the availability of these measures.

## **Annex 2 – Conditions consistent with the operating schedule**

1. The fire exit doors on to Carver Lane shall only be used as disabled access or as an emergency exit and shall not at any other time be propped open.
2. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall have received the prior written approval of the Environmental Protection Service.
3. No amplified sound or live music shall be played nor shall loud speakers be placed at any time outside the building within the proposed outdoor smoking area.
4. Music should only be played within the building such that:
  - (i) Noise breakout from the building to the street should not exceed the ambient noise levels by more than 3 dB(A) when measured as a 15 minute LAeq;
  - (ii) Noise breakout from the building to the street should not exceed the ambient noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute Leq. Note: Where ambient noise level is the AL<sub>eq</sub>, 15 minutes in the absence of the specific noise source (breakout from the premises).
5. Persons will not be permitted to enter the premises after 03:00 hours Sunday to Wednesday. No entry to the premises after 04:00 hours on Thursdays, Fridays, Saturdays and Sundays before Bank Holiday Mondays.

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

1. To acquire a suitable number of radio set(s) for the premises and take the CCRAC Radio Scheme into use at all times when trading and continue to be a user whilst this system/facility is in use in Sheffield.
2. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
3. A Colour CCTV system to the specification of South Yorkshire Police must be fitted, maintained and in use at all times when the premises are open. CCTV images will be stored for 28 days. Police will be given access to the copies of images for purposes in connection with the prevention and detection of crime and disorder.
4. Additional external colour camera fitted to CCTV system, showing right side of external drinking area.
5. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
6. Any reasonable requirements of the authorities will be complied with in order to ensure the premises are suitable for their intended use.
7. The designated premises supervisor for these premises must be a registered member of Sheffield Licence Watch. Annual membership and meeting attendance should be maintained.
8. A designated member of staff will monitor any outside drinking area at all times.
9. When public dancing is to take place on the premises in an area not previously approved for dancing by the authority, at least 14 days notice must be given to Environmental and Regulatory Services (Health Protection Service) and the Licensing Authority, identifying the area to be used which should be suitable and adequate in size as the designated dance floor for the intended use and dancing must not take place in that area unless approved by the authority.
10. Indoor sporting events shall consist of traditional pub games.
11. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
12. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
13. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
14. When regulated entertainment is provided windows and doors shall remain closed except for access and egress.

15. Children under the age of 18 are not permitted on the premises at all times.

16. A permanent fixed residual current device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music and other entertainment.

17. Each entrance to the premises will be monitored by at least 1 member of door staff from 21:00 hours on any day the premises remains open after 01:00 hours and will be needs assessed on an event by event basis.

18. No entry to the premises after 04:00 hours on Thursdays, Fridays, Saturdays and Sundays before Bank Holiday Mondays.



**Annex 4 – Plans**

1107.100 Rev. E  
July 2011

**Appendix 1**

## LICENSING ACT 2003

### Premises Licence Summary      ISSUE NO: 7.

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Premises Licence Summary in respect of:

**Premises licence number      SY 1762 PR**

Viper Rooms (fka Cellar 35)  
35 Carver Street  
Sheffield  
S1 4FS

**Telephone Number:** 0114 272 6594

#### Licensable activities authorised by the licence:

##### 1. Provision of regulated entertainment:

**Films**

**Indoor Sporting Events**

**Live Music**

**Recorded Music**

**Performances of Dance**

**Anything of a similar description to live music, recorded music or performances of dance**

Indoors

Sunday - Thursday	10:00 to 04:00 hours the following day
Friday - Saturday	10:00 to 05:30 hours the following day
Boxing Night (26.12)	10:00 to 05:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays before Bank holidays	12:00 to 06:00 hours the following day

An additional hour on the day when British Summertime commences.

##### 2. Sale by retail of alcohol:

a) for consumption on the premises

b) for consumption off the premises

Sunday - Thursday	10:00 to 04:00 hours the following day
Friday - Saturday	10:00 to 05:30 hours the following day
Boxing Night (26.12)	10:00 to 05:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays before Bank holidays	12:00 to 06:00 hours the following day

An additional hour on the day when British Summertime commences.

**The opening hours of the premises are:**

Sunday - Thursday	10:00 to 04:30 hours the following day
Friday - Saturday	10:00 to 06:00 hours the following day
Boxing Night (26.12)	10:00 to 06:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays before Bank holidays	12:00 to 06:00 hours the following day

An additional hour on the day when British Summertime commences.

**PLEASE NOTE:**

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies:**

Sale by retail of alcohol for consumption both on and off the premises.

**Name, (registered) address of holder of premises licence:**

Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT

**Telephone:** 07851603034

**Registered number of holder, for example company number, charity number (where applicable):**

07614493

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

David Robert Burgess

**State whether access to the premises by children is restricted or prohibited:**

Prohibited

**The Premises Licence shall be in force from 6 May 2008.**

**Issued on: 23 June 2008.**



.....  
**Steve Lonnia**  
**Chief Licensing Officer**  
**Head of Licensing Services**  
**On behalf of Sheffield City Council (issuing licensing authority)**

## THE LICENSING ACT 2003

**Premises Licence No: SY 1149 PR**

**ISSUE NO: 12.**

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

### **PART 1 – Premises details**

Viper Lounge (Formerly Ruby Lounge)  
35 & 35a Carver Street  
Sheffield  
S1 4FS

**Telephone Number:** 0114 272 6594

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:**

#### **1. Provision of regulated entertainment:**

##### **Films**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday – Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

##### **Indoor Sporting Events**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

##### **Live Music**

##### **Recorded Music**

Indoors

Sunday	12:00 to 03:00 hours the following day
Monday - Wednesday	10:00 to 03:00 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

### **Performances of Dance**

**Anything of a similar description to live music, recorded music or performances of dance**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

### **2. Provision of entertainment facilities for:**

**Facility for Making Music**

**Facility for Dancing**

**Entertainment of a similar description to making music and dancing**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

### **3. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

Sunday	12:00 to 03:00 hours the following day
Monday - Wednesday	10:00 to 03:00 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

**The opening hours of the premises are**

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Sale by retail of alcohol for consumption both on and off the premises.

**PLEASE NOTE:**

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

**PART 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:**

Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT

**Telephone Number:** 07803668588

**Registered number of holder, for example company number, charity number (where applicable):**

07614493

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr David Robert Burgess  
30 Devonshire Road  
Dore  
Sheffield  
S17 3NT



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Personal Licence Number:** SY 2392 Per  
**Issuing Authority:** Sheffield City Council

**State whether access to the premises by children is restricted or prohibited:**

Prohibited

**This Premises Licence shall be in force from the 24 November 2005.**

**Issued on: 5 January 2006.**



.....  
**Steve Lonnia**  
**Chief Licensing Officer**  
**Head of Licensing Services**  
**On behalf of Sheffield City Council (issuing licensing authority)**

<b>Sheffield City Council – For Office use only</b>	
Variation of Premises Licence	No: 3 Issue Date: 03/04/2012
Variation of DPS	No: 4 Issue Date: 19/08/2013
Transfer of Premises Licence	No: 3 Issue Date: 04/08/2011
Minor Variation	No: 1 Issue Date: 28/09/2011
Change of Name/Address	No: 1 Issue Date: 09/12/2011

## **Annex 1A – Mandatory Conditions**

### **Mandatory Condition 1 (Section 19 ss 2)**

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence –

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (a) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

### **Mandatory Condition 2 (Section 19 ss 3)**

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **Mandatory Condition 3 (Section 20)**

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
  - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
  - (a) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
  - “children” means persons aged under 18; and
  - “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### **Mandatory Condition 4 (Section 21)**

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

## **Annex 1B - Mandatory Conditions effective from 6<sup>th</sup> April 2010:**

**These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.**

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

### **Annex 1C - Mandatory Conditions effective from 1st October 2010:**

**These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.**

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
 (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that–
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) Customers are made aware of the availability of these measures.

## **Annex 2 – Conditions consistent with the operating schedule**

1. Each entrance to the premises will be monitored by at least 1 member of door staff from 21:00 hours on any day the premises remains open after 01:00 hours.
2. Persons will not be permitted to enter the premises after 02:00 hours Sunday to Wednesday and after 03:00 hours Thursday to Saturday, Sundays preceding Bank Holidays.
3. To acquire a suitable number of radio set(s) for the premises and take the CCRAC Radio Scheme into use at all times when trading and continue to be a user whilst this system/facility is in use in Sheffield.
4. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
5. A Colour CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times when the premises are open. CCTV images will be stored for 28 days. Police will be given access to the copies of images for purposes in connection with the prevention and detection of crime and disorder.
6. Additional external colour camera fitted to CCTV system, showing right side of external drinking area.
7. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose. Additional cameras have been fitted to the new lobby.
8. Any reasonable requirements of the authorities will be complied with in order to ensure the premises are suitable for their intended use.
9. The designated premises supervisor for these premises must be a registered member of Sheffield Licence Watch. Annual membership and meeting attendance should be maintained.
10. A designated member of staff will monitor any outside drinking area at all times.
11. When public dancing is to take place on the premises in an area not previously approved for dancing by the authority, at least 14 days notice must be given to Environmental and Regulatory Services (Health Protection Service) and the Licensing Authority, identifying the area to be used which should be suitable and adequate in size as the designated dance floor for the intended use and dancing must not take place in that area unless approved by the authority.
12. Indoor sporting events shall consist of traditional pub games.
13. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

14. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

15. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

16. When regulated entertainment is provided windows and doors shall remain closed except for access and egress.

17. Sunday - Thursday the playing of live or recorded music after 01:30 hours shall be at a reduced volume, agreed by the Environmental Protection Service.

18. Children under the age of 18 are not permitted on the premises at all times. The premises shall operate a challenge 25 policy.

19. A permanent fixed residual current device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music and other entertainment.

20. To comply with the reasonable requirements of South Yorkshire Fire and Rescue Service.

21. The fire exit doors on to Carver Lane shall only be used as disabled access or as an emergency exit and shall not at any other time be propped open.

22. No amplified sound or live music shall be played nor shall loud speakers be placed at any time outside the building within the proposed outdoor smoking area.

23. Music should only be played within the building such that:

(i) Noise breakout from the building to the street should not exceed the ambient noise levels by more than 3 dB(A) when measured as a 15 minute LAeq;

(ii) Noise breakout from the building to the street should not exceed the ambient noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute Leq.

Note: Where ambient noise level is the ALeq, 15 minutes in the absence of the specific noise source (breakout from the premises).

Any embedded permissions and restrictions attached to the justices on/off licence including those specified at Appendix 1.

Specific conditions converted from the Public Entertainment Licence

Other Special Conditions:

1. The issue regarding the low ceiling in the lobby area must be resolved as soon as possible. In the meantime the edge of the ceiling must be covered in foam and appropriate warning signs put in place.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**Annex 4 – Plans**

Plan Ref:  
1107.100 Rev E  
July 2011

**Appendix 1**



## LICENSING ACT 2003

### Premises Licence Summary

ISSUE NO: 12.

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Premises Licence Summary in respect of:

**Premises licence number SY 1149 PR**

Viper Lounge (Formerly Ruby Lounge)  
35 & 35a Carver Street  
Sheffield  
S1 4FS

**Telephone Number:** 0114 272 6594

#### Licensable activities authorised by the licence:

##### 1. Provision of regulated entertainment:

###### Films

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday – Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

###### Indoor Sporting Events

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

###### Live Music

###### Recorded Music

Indoors

Sunday	12:00 to 03:00 hours the following day
Monday - Wednesday	10:00 to 03:00 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

**Performances of Dance**

**Anything of a similar description to live music, recorded music or performances of dance**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

**2. Provision of entertainment facilities for:**

**Facility for Making Music**

**Facility for Dancing**

**Entertainment of a similar description to making music and dancing**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

**3. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

Sunday	12:00 to 03:00 hours the following day
Monday - Wednesday	10:00 to 03:00 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

**The opening hours of the premises are**

Sunday	12:00 to 03:30 hours the following day
Monday - Wednesday	10:00 to 03:30 hours the following day
Thursday - Saturday	10:00 to 04:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Sundays proceeding a Bank	12:00 to 04:00 hours the following day Holiday

An additional hours on the day when British Summertime Commences.

**PLEASE NOTE:**

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies:**

Sale by retail of alcohol for consumption both on and off the premises.

**Name, (registered) address of holder of premises licence:**

Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT

**Telephone:** 07851 603034

**Registered number of holder, for example company number, charity number (where applicable):**

076114493

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

David Robert Burgess

**State whether access to the premises by children is restricted or prohibited:**

Prohibited

**The Premises Licence shall be in force from 24 November 2005.**

**Issued on: 5 January 2006.**



.....  
**Steve Lonnia**  
**Chief Licensing Officer**  
**Head of Licensing Services**  
**On behalf of Sheffield City Council (issuing licensing authority)**

# APPENDIX B

## **Ruston Andy (CEX)**

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**From:** Ruston Andy (CEX)  
**Sent:** 29 October 2015 13:28  
**To:** 'Carole Collingwood'  
**Cc:** Frankie Marie-Claire (CEX); Benita.mumby@southyorks.pnn.police.uk;  
Andrea.Marsden@southyorks.pnn.police.uk; Turner John (CEX)  
**Subject:** RE: Viper Sheffield - Summary Review

Afternoon Carole,

Following on from this morning's meeting, the members of the Licensing Sub Committee determined to

- 1) suspend licensable activities to take place on a Tuesday
- 2) the risqué or luau night not to take place on any other night of the week.

The reason for the decision being that the evidence from the police shows that serious crime or disorder occurs at the premises on a Tuesday but it seems that other nights of the week are largely problem free.

Members noted the action plan from the viper rooms and again these relate to Tuesday's.

Regards

Andy Ruston

Sports Grounds & Events, Enforcement / Technical Officer Business Strategy and Regulation  
Place Portfolio Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9. Telephone: 0114  
2734264 Fax: 0114 2037750, Email: [Andy.Ruston@sheffield.gov.uk](mailto:Andy.Ruston@sheffield.gov.uk), [www.sheffield.gov.uk](http://www.sheffield.gov.uk)

# APPENDIX C

## Viper Rooms Management Action Plan

The following actions were agreed following a meeting of Paul Kinsey and Dave Burgess with the police on Wednesday October 14<sup>th</sup>

1. Tuesday Risqué session to close immediately
2. New session to be launched on Tuesday 28<sup>th</sup> October
3. 1 in 15 customers will be searched with emphasis on males
4. Records of searches to be kept
5. Only NUS will be admitted to the session and promoter staff and networkers
6. Music policy to be house music led

### **Additional actions implemented on 29<sup>th</sup> October**

The only incident on the Tuesday 27<sup>th</sup> October was involving 2 female students. There were a significant number of refusals to entry at the front door.

The change in drinks sales mix clearly showed a different profile of audience to the Risqué sessions, although further steps are required to eliminate NUS card holders who may pose a risk.

The only glasses served that were not polycarbonate were champagne glasses.

Following a meeting with the police PK has proposed that the following further actions are taken

### **Admission policy**

1. The front door admission policy will be reviewed to modify the NUS only policy to increase strictness on broader criteria, as both girls on Tuesday were students.
2. 1:15 search policy to be maintained and voluntary licence condition has been submitted

### **Internal supervision**

1. An internal head door person position will be created who will take responsibility for the door-staff inside the venue which will further increase supervision levels
2. Doorstaff/customer ratio will be held at a new ratio of 1:70
3. All support management will be placed on an SIA training course within 6 weeks.
4. For the first weeks post re opening Paul Kinsey will attend the session along with another qualified DPS from the company to review the detail of the operation in terms of:
  - Audience quality
  - Music policy
  - Internal door supervision
  - Quality of support management supervision skills



- General housekeeping

Following this process of weekly review the management action plan will be updated weekly to highlight and eradicate any residual risk issues

5. Music policy will be further adapted to maintain a light hearted feel to the room
6. Only poly carbonate glass will be used on the Tuesday session.
7. Only PET bottle beers will be served on a Tuesday night.
8. There has never been a bottle related incident on any night so it is proposed to serve champagne and bottles of spirit in the VIP area only which is supervised by 4 waitresses and a specific door supervisor. All glassware in VIP will be PET. This will ensure that the 'top end' of the market is not alienated.

### **Dispersal**

1. Doorstaff will ensure that customers that are exiting the building are encouraged actively to move away from the building and not congregate outside the gates. Also they will be encouraged actively to behave in a respectful and considerate manner
2. Internal dispersal will be supervised by the internal head door person and one of the senior venue management
3. Dispersal will be deliberately staggered over the 30 minutes post closure to allow orderly dispersal and minimize congregation outside.

# APPENDIX D

## Decision of Licensing Sub-Committee 2nd November 2015 – Viper Rooms/Viper Lounge

Licensing Sub-Committee considered an application made by South Yorkshire Police for review of the premises licence issued to Viper rooms/ Viper Lounge, 35 & 35a Carver Street, Sheffield, S1 4FS. The review application was made under section 53A of the Licensing 2003, the ground being that, in the view of the South Yorkshire Police, the premises are associated with serious crime and disorder or both.

At the Interim Steps hearing on 28<sup>th</sup> October 2015 interim steps were imposed. Those steps were:

1. Licensable activities to be suspended on Tuesday
2. Risque or Luau night not to take place on another night of the week

South Yorkshire Police attended and submitted that Tuesday nights at the Viper Rooms were the problem. The issues have developed and the people attending have become less desirable. The Police stated that the Premises have fully cooperated and have attended meetings with the Police in an effort to resolve the problems. The premises volunteered to close and rebrand the night. The voluntary closure was for one night and it reopened on the 28<sup>th</sup> October as a NUS only night. At the end of the night a female was glassed and the Police officers attending reported a very hostile environment. They also reported lots of glass on the floor, more than a few champagne glasses worth.

In the opinion of South Yorkshire Police the premises needs to have a break on a Tuesday to lose the aggressive group who have started attending, partly from out of town, however submitted that it would be helpful for the premises to open before the review hearing so that the new management plans can be operated successfully.

The premises addressed the committee and detailed their operation with the experienced team employed. They asked that the current interim steps be lifted as it doesn't allow the premises to deal with the problems.

The premises took full responsibility for the issues but submitted that the stabbings were a one-off incident. There were then no issues until a high profile DJ was booked and it attracted an undesirable crowd from out of town. On the 28<sup>th</sup> October a female was glassed by another female. This incident was reported to the Police by the premises.

The premises submitted that a NUS policy was 'a blunt instrument' as some people who hold a NUS card shouldn't be able to access the venue whereas there were 'nice' people without them. The doorstaff and DPS need to make a judgment on who can get in. This will be supervised until the venue owner is satisfied that they are making the right call.

The premises submitted that some areas of the premises needed to be improved but this wasn't going to be able to happen if they are closed. The concern with closure wasn't commercial but that the management plan will be a work in progress and it would be beneficial to have weeks of trading prior to the review hearing.

In relation to the glass at the premises all drinks, including champagne, are served in plastic glasses.

Members considered all of the evidence and submissions before them and determined to modify the steps taken.

The two steps imposed on 28<sup>th</sup> October be withdrawn and replaced with:

1. Viper Rooms/ Viper Lounge be closed on 3<sup>rd</sup> November 2015
2. The new Viper Rooms management Action Plan be adhered to when the premises reopens on Tuesday 10<sup>th</sup> November

The reason for this decision was that members accepted both sides of the argument but felt that the premises did need a break to stop the behaviour becoming 'normalised' and 'embedded' as submitted by the Police however also accepted that it is beneficial to evidence the operation of the premises with the new Management plan.

# APPENDIX E

**ANNEX B**

South Yorkshire Police  
Force Headquarters  
Carbrook House  
5, Carbrook Hall Road  
Sheffield  
S9 2EH

**CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003**

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder<sup>1</sup>.

*Premises*<sup>2</sup>:  
Viper Rooms & Viper Lounge  
35 & 35a Carver Street  
Sheffield  
S1 4FS

Premises licence number (if known): SY 1762 PR & SY 1149 PR

Name of premises supervisor (if known): Mr David Burgess

I am a Police Superintendent<sup>3</sup> in the South Yorkshire Police police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because<sup>4</sup>:

Viper Room & Viper Lounge are located in the heart of the City Centre on Carver Street. Although the premises have separate premise licences they are within the same building and access can be gained through the same entry point. Once inside customers are generally able to walk between the two bars, one located upstairs and one downstairs.

Meetings have taken place between the DPS, Mr Burgess and the police to

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

discuss the rise in serious incidents at the premise. It was agreed that the 'Risque' nights that took place predominantly on a Tuesday evening would cease as the majority of incidents appeared to be that night. The premise also agreed to close the following Tuesday (20th October) following the large scale disturbance on Tuesday 14th October. Mr Burgess and the management company co-operated and it can be confirmed they remained closed as agreed.

The premise held another event night the following Tuesday on the 27th October branding the event as 'Luau'. Officers attended a further disorder at the premise on this evening and resulted in a member of the public inside the premise receiving an injury to her head which appears to have been a bottle being thrown.

The following incidents have taken place at the premise over the last few months and I can say from records that the following incidents have been reported:-

9 September 2015 03.08hrs (Tuesday evening into Wednesday) - reports of a lot of people in Carver Street who appeared to have spilled out of Viper Rooms. There had been an issue with door staff and a group of males. Officers have attended and two persons detained drunk and disorderley.

30 September 2015 02.08hrs (Tuesday into Wednesday) - Door staff via CCTV control had detained a male. A female had been stabbed and taken to hospital. The severity of the injury at that time was not known and it transpired that the injured party had been conveyed to hospital by a member of staff. A further male was located inside the location again with a stab wound and was being tended to by medical staff. Another male was found with a stab wound to the hip and bleeding heavily. This confirmed three people inside the venue with stab wounds. At that time it appeared to have taken place in the upstairs near to the VIP area. A male was detained by members of the door staff, one of whom recovered a knife from his person. Following an investigation the detained male was charged to appear before the courts.

14 October 2015 00.30hrs (Tuesday into Wednesday) - Caller reporting that she had been assaulted by another female outside the toilet area. Door staff lawfully ejected her and a group of females from the premise. The injured person received injuries to her arm, head and sore eyes due to drink being thrown in her face. The investigation is still ongoing.

14 October 2015 01.45hrs (Tuesday into Wednesday) - Caller stating she was outside Viper Rooms in the smoking area provided when a male has become agitated and thrown the complainants friend to the floor. The complainant has tried to assist the female on the floor and the male has punched her in the face causing her to fall to the floor. She received injuries to her face and bruising to the shoulder. The investigation is still ongoing.

14 October 2015 02.10hrs (Tuesday into Wednesday) - Call received from ambulance control reporting a female had been hit on the head with an object. She was transported to NGH by ambulance.

14 October 2015 reported at 02.34hrs (Tuesday into Wednesday) - Complaint from female of assault by a male in the smoking area. (This incident

is linked to the earlier complaint reported at 01.45hrs). The investigation is still ongoing.

14 October 2015 03.00hrs (Tuesday into Wednesday) - Call from the Designated Premise Supervisor (DPS) that a male may have in his possession a knife, this had been reported to the staff by another customer. The DPS has not seen a knife but is concerned as it is almost time for the premise to close and there will be people leaving. There is nothing to suggest that a male was detained with a knife however a male was detained following an assault on a female member of staff inside the premise.

14 October 2015 03.45hrs (Tuesday into Wednesday) - Whilst officers were present on Carver Street and following disorder in that location, they witnessed a fight break out at Viper Rooms and then into the street. Officers saw the suspect swinging punches towards a member of the public and acting aggressively. The suspect was detained and it was deemed necessary for the officer to use PAVA spray on this individual.

16 October 2015 03.32hrs (Thursday into Friday) - Caller reporting they had been ejected from Viper Rooms and complaining they wanted their money back. It was alleged that a member of door staff had pushed her and she had fallen over. At that time no injuries were reported and it cannot be ascertained at this time if an offence had been committed.

23 October 2015 between midnight and 01.00hrs (Thursday into Friday) - Caller reporting he had been drinking inside Vipers and that when he was outside he had been assaulted by a male he named. He appeared to have an injury to his nose as it was bleeding. The investigation is still ongoing.

28 October 2015 03.10hrs (Tuesday evening into Wednesday) - Via CCTV control room, staff at the premise requested assistance with regards to a female that had been 'glassed' and that the offender was possibly inside. An ambulance was also requested to attend the scene. Officers attend and an 18 year old female had received an injury to the top of her head stating that someone had thrown a bottle at her. From information provided from the officers that attended the scene they describe a hostile crowd and whilst trying to deal with the incident a group of males were shouting threatening comments towards the police officers and inside the venue was a lot of broken glass.

Following several meetings between the police and the management of Viper Rooms & Viper Lounge serious crime and serious disorder continues to be associated with the premise.

We therefore respectfully request that an Expedited Review Hearing should be held to address the recent incidents at the premise.



S. [Signature] 28/10/15  
(Signed) (Date)

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Sheffield City Council Licensing Department  
 Staniforth Road  
 Sheffield

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Superintendent Morley [on behalf of] the chief officer of police for the South Yorkshire police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Viper Rooms & Viper Lounge  
 35 & 35a Carver Street  
 Sheffield  
 S1 4FS**

Post town: Sheffield

Post code (if known): **S1 4FS**

**2. Premises licence details:**

Name of premises licence holder (if known): Harewood (Viper Rooms) Limited

Number of premises licence holder (if known): 2, Kings Road, Harrogate, HG1 1BT

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003** [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

Viper Room & Viper Lounge are located in the heart of the City Centre on Carver Street. Although the premises have separate premise licences they are within the same building and access can be gained through the same entry point. Once inside customers are generally able to walk between the two bars, one located upstairs and one downstairs.

Meetings have taken place between the DPS, Mr Burgess and the police to discuss the rise in serious incidents at the premise. It was agreed that the 'Risqué' nights that took place predominantly on a Tuesday evening would cease as the majority of incidents appeared to be that night. The premise also agreed to close the following Tuesday (20<sup>th</sup> October) following the large scale disturbance on Tuesday 14<sup>th</sup> October. Mr Burgess and the management company co-operated and it can be confirmed they remained closed as agreed.

The premise held another event night the following Tuesday on the 27<sup>th</sup> October branding the event as 'Luau'. Officers attended a further disorder at the premise on this evening and resulted in a member of the public inside the premise receiving an injury to her head which appears to have been a bottle being thrown.

The following incidents have taken place at the premise over the last few months and I can say from records that the following incidents have been reported:-

9 September 2015 03.08hrs (Tuesday evening into Wednesday) - reports of a lot of people in Carver Street who appeared to have spilled out of Viper Rooms. There had been an issue with door staff and a group of males. Officers have attended and two persons detained drunk and disorderly.

30 September 2015 02.08hrs (Tuesday into Wednesday) - Door staff via CCTV control had detained a male. A female had been stabbed and taken to hospital. The severity of the injury at that time was not known and it transpired that the injured party had been conveyed to hospital by a member of staff. A further male was located inside the location again with a stab wound and was being tended to by medical staff. Another male was found with a stab wound to the hip and bleeding heavily. This confirmed three people inside the venue with stab wounds. At that time it appeared to have taken place in the upstairs near to the VIP area. A male was detained by members of the door staff, one of whom recovered a knife from his person. Following an investigation the detained male was charged to appear before the courts.

14 October 2015 00.30hrs (Tuesday into Wednesday) - Caller reporting that she

had been assaulted by another female outside the toilet area. Door staff lawfully ejected her and a group of females from the premise. The injured person received injuries to her arm, head and sore eyes due to drink being thrown in her face. The investigation is still ongoing.

14 October 2015 01.45hrs (Tuesday into Wednesday) - Caller stating she was outside Viper Rooms in the smoking area provided when a male has become agitated and thrown the complainant's friend to the floor. The complainant has tried to assist the female on the floor and the male has punched her in the face causing her to fall to the floor. She received injuries to her face and bruising to the shoulder. The investigation is still ongoing.

14 October 2015 02.10hrs (Tuesday into Wednesday) - Call received from ambulance control reporting a female had been hit on the head with an object. She was transported to NGH by ambulance.

14 October 2015 reported at 02.34hrs (Tuesday into Wednesday) - Complaint from female of assault by a male in the smoking area. (This incident is linked to the earlier complaint reported at 01.45hrs). The investigation is still ongoing.

14 October 2015 03.00hrs (Tuesday into Wednesday) - Call from the Designated Premise Supervisor (DPS) that a male may have in his possession a knife, this had been reported to the staff by another customer. The DPS has not seen a knife but is concerned as it is almost time for the premise to close and there will be people leaving. There is nothing to suggest that a male was detained with a knife however a male was detained following an assault on a female member of staff inside the premise.

14 October 2015 03.45hrs (Tuesday into Wednesday) - Whilst officers were present on Carver Street and following disorder in that location, they witnessed a fight break out at Viper Rooms and then into the street. Officers saw the suspect swinging punches towards a member of the public and acting aggressively. The suspect was detained and it was deemed necessary for the officer to use PAVA spray on this individual.

16 October 2015 03.32hrs (Thursday into Friday) - Caller reporting they had been ejected from Viper Rooms and complaining they wanted their money back. It was alleged that a member of door staff had pushed her and she had fallen over. At that time no injuries were reported and it cannot be ascertained at this time if an offence had been committed.

23 October 2015 between midnight and 01.00hrs (Thursday into Friday) - Caller reporting he had been drinking inside Vipers and that when he was outside he had been assaulted by a male he named. He appeared to have an injury to his nose as it was bleeding. The investigation is still ongoing.


28 October 2015 03.10hrs (Tuesday evening into Wednesday) - Via CCTV control room, staff at the premise requested assistance with regards to a female that had been 'glassed' and that the offender was possibly inside. An ambulance was also requested to attend the scene. Officers attend and an 18 year old female had received an injury to the top of her head stating that someone had thrown a bottle at her. From information provided from the officers that attended the scene they describe a hostile crowd and whilst trying to deal with the incident a group of

males were shouting threatening comments towards the police officers and inside the venue was a lot of broken glass.

Following several meeting between the police and the management of Viper Rooms & Viper Lounge serious crime and serious disorder continues to be associated with the premise.

We therefore respectfully request that an Expedited Review Hearing should be held to address the recent incidents at the premise.

Signature of applicant:



Date: 28/10/15

Capacity: Superintendent

**Contact details for matters concerning this application:**

Address: South Yorkshire Police Licensing Department, Police HQ

Telephone number(s): 0114 2523618

Email: sheffield.liquor-licensing@southyorks.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

# APPENDIX F



South Yorkshire  
**POLICE**

Licensing Services  
Block C  
Staniforth Road Depot  
Staniforth Road  
Sheffield  
S9 3HD

Date- 12th November 2015

Dear Sirs,

**Re: Viper Rooms/Viper Lounge, 35 & 35a Carver Street, Sheffield**

Please find attached papers in relation to the above premises.

Yours faithfully

Andrea Marsden  
Licensing Enforcement Officer  
South Yorkshire Police  
Force Headquarters  
Carbrook House  
5, Carbrook Hall Road,  
Sheffield,  
S9 2EH.

Tel – (0114) 2523618



Re: Viper Rooms/Viper Lounge, 35 & 35a Carver Street, Sheffield.

**INDEX TO BUNDLE OF DOCUMENTS**

**Compiled on 12th November 2015.**

	<b>DOCUMENT</b>	<b>REF</b>
1.	Statement of Police Inspector Neil Mutch dated 10/11/15	Chronology of incidents
2.	Statement of Witness A dated 30/09/15	Relates to inc on 30/09/15
3.	Further statement of Witness A dated 30/09/15	Relates to inc on 30/09/15
4.	Statement of Witness B dated 30/09/15	Relates to inc on 30/09/15
5.	Statement of Witness C - dated 30/09/15	Relates to inc on 30/09/15
6.	Statement of PC 2636 Overend dated 6/11/15	Relates to inc on 30/09/15
7.	Statement of PC 134 Thompson dated 29/10/15	Relates to inc on 14/10/15
8.	Statement of PC 2012 Rimmer dated 29/10/15	Relates to inc on 14/10/15
9.	Statement of PC 2142 Lannie dated 29/10/15	Relates to inc on 28/10/15
10.	Statement of PC 1238 Uccellini dated 28/10/15	Relates to inc On 28/10/15
11.	Statement of Andrea Marsden Licensing Enforcement Officer dated 9/11/15	Meeting with management on 30/09/15 & 30/10/15
12.	Statement of PS Burdett dated 12/11/15	Meeting with management on 30/09/15 & 14/10/15
13.	Action Plan prepared by Viper Rooms management	

**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

- and -

**Viper Rooms/Viper Lounge**

**DPS – David BURGESS  
PLH – Harewood Limited**

Respondent

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**WITNESS STATEMENT OF**

**Police Inspector Neil MUTCH**

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1. I am a Police Inspector in the South Yorkshire Police currently stationed at Snig Hill police station within Sheffield City Centre. I have been involved in policing the City Centre for around 20 years at different levels. In 2006 I became the City Centre Inspector responsible for the Safer Neighbourhood Team. From 2010 to 2011 I took over responsibility of the Police Licensing Team until I moved to the Events and Planning Department which involved the safety of the public and the policing of large events across the City. In 2014 I returned as Inspector to the City Centre and remain in this post today. As part of my role I am responsible for the police public order patrols and policing of licensed premises within Sheffield City Centre.

2. The premise known as Viper Rooms & Viper Lounge located at 35 & 35a Carver Street is within in the heart of the City Centre. The premises have separate premise licences within the same building and access can be gained through the same entry point. Once inside customers are generally able to walk between the two bars, one located upstairs, the other downstairs.
3. Serious incidents had been taking place at the premise previously and intervention work had taken place between the police and the management. Following a further serious incident on the 28<sup>th</sup> of October 2015 it was deemed necessary to apply for an Expedited/Summary review of the premises licence.
4. I can say from records in my possession that the following incidents have taken place at the premise over the past few months which have caused the police concerns. Some of the incidents are of a minor nature but there have been incidents of a far more serious nature described as follows :-
5. At 03.08hrs on Wednesday 9<sup>th</sup> September 2015 police officers requested further police presence at the Viper Rooms due to lots of people in Carver Street. These people seemed to have spilled out of the premise. There had been an issue with door staff and a group of males. Further officers attended and this resulted in two people being detained for being drunk and disorderly.

6. At 2.08hrs on Wednesday 30<sup>th</sup> September 2015 CCTV control room requested police attendance due to a male having been detained by door staff at Viper Rooms after a female had been stabbed.

At 02.16hrs the same date it was reported that the female had already been conveyed to the hospital and that the severity of her injuries at that time was unknown.

At 02.19hrs police officer reports that the female had been transported to the Northern General Hospital by a member of staff at the Viper Rooms.

Also a report that there was a further victim, a male, also reported to have been stabbed at that location and was being tended to by a medic.

A third person, a male, was also reporting that he had been stabbed in the hip area and was bleeding heavily.

All three stabbings appeared to have taken place in the upstairs area of the premise.

A male had been detained by members of the door staff at the venue and was subsequently arrested for the offences described.

This defendant is due to stand trial at Sheffield Crown Court in March 2016.

7. At 00.47hrs on Wednesday 14<sup>th</sup> October 2015 report of a female having been assaulted outside the toilet area within the premise by another female. This group of females had been lawfully ejected from the club by door staff and caller stating that the offender was still in the premise. The injured female reported a bruise to her arm, lump on the head, her eyes were sore as drink had been thrown in them.

Door staff were spoken to and stated that a group of females inside had had a disagreement, one was lawfully ejected, once informed the police were attending all parties had left. The investigation is still ongoing.

8. At 02.19hrs on Wednesday 14<sup>th</sup> October 2015 ambulance control reported a 20 year old female had been glassed and had a head injury, she was described as being conscious but not alert.

Officers attended and PC 2012 Rimmer spoke briefly to the injured female prior to her being transported to the NGH by ambulance.

A copy of PC Rimmer's statement is within the review papers.

The investigation is still ongoing and remains undetected at this time.

9. At approximately 01.45hrs on Wednesday 14<sup>th</sup> October 2015 a female reported that she had been outside Viper Rooms with her friend in the smoking area provided when a male known to her has become agitated and pushed the females friend to the floor. The female has tried to assist her friend and the male has punched her in the face knocking her to the floor causing bruising to the left side of her chin, a bruise to her right arm and left shoulder.

Her friend also reports being assaulted by the same male at the same location stating that this male had 'kicked off', grabbed her by the hair and thrown her to the floor before leaving the area.

10. At approximately 03.00hrs on Wednesday 14<sup>th</sup> October 2015 a call is received from the Designated Premises Supervisor (DPS) at Viper Rooms reporting that the premise was due to close and that he had been approached by another customer stating that someone had a knife. This

had not been seen by the DPS but he was concerned due to the premise closing and customers leaving the venue into the street.

Officers attended the scene and spoke with a male and whilst dealing with this male a large crowd has followed. This male was subsequently detained.

PC 134 Thompson has now provided a statement in relation to this incident which is within the review papers.

During this incident a female member of staff reported that she had been assaulted by a male inside the premise. The complainant is a member of staff and stated that throughout the evening a male had been paying her unwanted attention. She had complained to the door staff numerous times about this male's behaviour. Around 03.00hrs, she was stood near him and this male has backhanded her across the face causing pain. He has then left the club and stood at the entrance door. The complainant has pointed the male out to both door staff and the police officers in attendance. He was subsequently arrested and charged with common assault.

11. At approximately 03.45hrs on Wednesday 14<sup>th</sup> October 2015, officers were already present on Carver Street following disorder there when they witnessed a fight breaking out of Viper Rooms into the street. Officers saw a male swinging punches towards another member of the public and acting aggressively.

The male was detained and due to his demeanour, it was deemed necessary for officers to use PAVA spray to gain compliance with the male.

12. At 03.32hrs on Friday 16<sup>th</sup> October 2015 caller reported that she had been ejected from Viper Rooms and complained that she wanted her money refunded as she had not been inside long. She then alleges that a member of door staff has pushed her and she has fallen over. She reports that she has not received any injuries but wanted to report the incident to the police. The incident has been crime recorded as a common assault and as yet there is not update from the officer in the case.

13. At 03.10hrs on Wednesday 28<sup>th</sup> October 2015 via CCTV, staff at the premise were requesting assistance with regards to a female that had been 'glassed' and that the offender may still be inside. An ambulance had also been requested to attend. Officers attended and an 18-year-old female was seen with an injury to the top of her head stating that someone had thrown a bottle at her. The complainant described that during the night she had come across the suspect who had been asking for cocaine from customers. Towards the end of the evening, the complainant came out of the toilets where she saw the suspect talking to another person. A minor argument ensued at which point a drink was thrown over the complainant who then threw one back at the suspect before attempting to leave the premise. As she walked out she was struck by a glass round the right side of her forehead causing two minor superficial cuts. She was treated for her injuries initially by members of staff at the premise.

A female suspect was arrested, handcuffed and placed in the rear of a police vehicle. The arresting officer was concerned for the safety of his colleague so he returned to the premise to assist. Upon his return to the police vehicle the suspect was found to have escaped from the police vehicle.

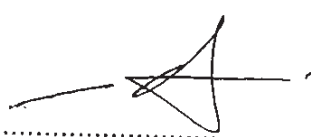
This investigation is still ongoing and I am unable to fully expand on the circumstances around this matter at this time.

Officers describe attendance at the scene and a statement from PC 2142 Lannie and PC 1238 Uccellini expanding on this can be found within the review papers.

14. Following the interim steps hearing I held a meeting at Snig Hill police station with the management of Viper Rooms, Mr Paul Kinsey and the DPS, Mr David Burgess. Mr Kinsey proposed actions to be taken at the premise on a Tuesday night to ensure the safety of customers. The Licensing Sub-Committee have had sight of these actions at the last hearing on the 2<sup>nd</sup> of November.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated.....10/11/15.....



**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 14KX/6658/15

Statement of [REDACTED]

Age if under 18: Over 18

Occupation: [REDACTED]

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: [REDACTED]

Date: 30/09/2015

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am the above named person and I reside at the address shown overleaf.

On Tuesday 29th September 2015, I was at my home address with my flatmates [REDACTED]  
[REDACTED] and [REDACTED]. It was [REDACTED] birthday so we all  
decided to have a few drinks at home before going into Sheffield Town Center.

We started drinking at 21.30 hrs and was drinking champagne.

At around 23.20 hrs we rang a taxi to take us into Sheffield.

It was Uber Taxi's that took us into Sheffield. I got into the taxi with [REDACTED] and [REDACTED] and the  
boys walked.

The taxi dropped us off outside Crystal on Carver Street at about 23.25 hrs.

Signature: [REDACTED]

Signature Witnessed by: (SIGNED)

64

Continuation of Statement of: [REDACTED]

Page 2

We went straight into the Viper rooms and the boys joined us later.

When I went out I was wearing a red halter neck style top with a short black skirt. I had brown high heeled sandals on and was carrying a black clutch bag. I had my hair down which is very long and dark brown.

We were all upstairs and downstairs throughout the night and was having a really good time.

Whilst in Viper rooms I had 1 x vodka lemon and limes.

I didn't feel drunk and on a scale of 1-10, 10 being very drunk, I was about a 3.

I spent most of the night with [REDACTED]. At around 01:45 hrs I was stood with [REDACTED] on the dance floor near to the VIP area.

As you walk into Viper rooms from Carver Street the bar is on the left hand side. The toilets are on the right and beyond the toilets on the right is the VIP part. At the rear of the club are a few stairs, around 4, which lead up to another VIP area and the stairs which lead downstairs.

Signature: [REDACTED]

Signature Witnessed by: (65)

Continuation of Statement of: [REDACTED]

Page 3

I was stood with [REDACTED] on the lower part of the dance floor in front of the first VIP bit I have described.

As I was stood talking to [REDACTED] when a male walked past the middle of us, quite aggressively pushing past us.

I can describe this male as an Asian male, around 5ft 5 - 5ft 7 in height. He was stocky build with short brown hair. He had trimmed facial hair around his jawline and was wearing black rimmed rectangular glasses.

All I can recall about the males clothing was that he was wearing a light coloured possibly grey top. I would estimate his age to be in his 20's.

I was shocked at what the male had done so I said to him "What are you doing" or words to that effect.

The male turned around and walked back towards me. At this time [REDACTED] was stood to my right and the male was in front of me, to my left.

He came towards me very close and said something in my left ear but I couldn't tell what he was saying.

Signature: [REDACTED]

Signature Witnessed by: (66)

Continuation of Statement of: [REDACTED]

Page 4

At this time the only people close to me were [REDACTED] and the male.

The male was only there seconds before he walked away towards the exit doors which were to my left as I was stood with my back to the VIP area.

As the male started to walk away from me I felt a pain to the top of my thigh on my left leg. It just felt as if the male had punched me in the leg.

As I looked at my leg I saw that blood was coming from the top of my leg.

[REDACTED] shone the torch on his phone on my leg and I could see I had a 1 inch cut to the left side of my thigh on my left leg which was quite deep.

I went outside with [REDACTED] and my other friends had joined me by this time.

The staff at the Viper Rooms became aware of the incident and someone from Viper Rooms drove us to the A & E Department at the Northern General Hospital.

The incident lasted for around 1 minute.

Signature: [REDACTED]

Signature Witnessed by: (67)

2010/11

Continuation of Statement of: [REDACTED]

Page 5

The closest distance I was to the male was less than a foot away. I wouldn't describe the area where I was in the club as dark as I got a good look at the male. There was nothing obstructing my view of the male. I do not know the male but I believe I would recognise him again and would be willing to take part in ID procedures.

I do not know the extent of my injury at present as I am still waiting to be treated in Accident & Emergency.

At no time has anyone had any right or authority to assault me in this manner.

Signature: [REDACTED]

Signature Witnessed by:

(68)

2010/11

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 14KX/6658/15

Statement of [REDACTED]

Age if under 18: Over 18

Occupation: [REDACTED]

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: [REDACTED]

Date: 30/09/2015

Tick if witness evidence is visually recorded  (supply witness details on rear)

I gave a statement to police in the early hours of this morning - Wednesday 30th September 2015 - at the Northern General Hospital. At the time, I didn't know the extent of my injuries or the treatment I was going to receive.

I had a single stab wound to my upper left leg, that I initially thought felt like a punch. At hospital, I received an injection for Hepatitis B, a local anaesthetic, and three stitches to close the wound on my leg that was about 2 1/2 to 3cms in length. The hospital also gave me 2 co-codamol and 1 ibuprofen for the pain.

Today, my leg feels quite sore. I have a follow-up appointment to make at my GP's with regard to another Hepatitis B injection, and then a blood test. In about 10 days, I will go to have my stitches removed.

I have been informed of the Victim Personal Statement. I would rather do this another time.

Signature: [REDACTED]

Signature Witnessed by: (SIGNED)

69

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 14KX/6658/15

Statement of [REDACTED]

Age if under 18: Over 18

Occupation: [REDACTED]

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: [REDACTED]

Date: 30/09/2015

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am the above named and this statement is in relation to a wound that I have received.

On 29th September 2015 at around 9:00 pm I had finished work for the evening and decided to meet up with friends in Players Bar, West Street, Sheffield. I had probably 3 x vodka red bulls before going down to The Viper Rooms on Carver Street.

I had been there about one hour and at this time I was stood in front of the main entrance to the bar chatting to my friend [REDACTED] when I became aware of a male looking strangely at me and I shall describe him as follows an Asian/Pakistani male aged around 20 years. He had a chubby/fat build and was around 5' 5" tall with short dark hair shaved at the sides. He had a chubby face with long stubble. I do not recall his clothing and I could not see if he was carrying anything.

This male continued to stare at me and after a while I became quite uncomfortable and said to him "What are you staring at" and with that the male tipped his head to one side and gave me an 'evil'

70

Signature: [REDACTED]

Signature Witnessed by: D WOODRUFF PC 2906

Continuation of Statement of: [REDACTED]

Page 2

stare and he then turned to his left hand side. Thinking he was about to walk away I turned back to my friend and suddenly felt a hard thud to my left side and a sharp sensation that caused an aching pain in my leg. I thought 'I've been stabbed' I instantly turned and saw the male I described quite close to me and he quickly began to move through the club away from me.

I turned to my mate and told him I had been stabbed. Grabbing my friend we went to find the doorstaff. I found a doorman straightaway, explained what had happened and he was joined by two colleagues and quickly moving through the club we located the male that had stabbed me.

Blood was pouring down my leg now and upon seeing the male I shouted "What gives you the right to stab me you bastard" by now the doorstaff had grabbed the male and were moving through the club with him. I did not see the male again after that point and I was then taken onto a stairwell out of the way. I had been feeling funny and managed to sit down on a step, eventually I was taken outside the club and as soon as I sat on a wall I passed out and when I eventually came around I was sat by the manager of the Viper Rooms. I must have passed out for around 2 minutes.

From first seeing the male I describe to the point he moved through the club when he had stabbed me must have been around one minute to a minute and half. The distance varied from touching when he stabbed me to about arms length at the furthest point when I first saw him. As I was stood near to the entrance to the club when I first saw the male visibility was good due to the bright lighting in that area. Apart from a female between us there had been a clear unobstructed view of the male. I do not know this male nor have I seen him before.

Signature: [REDACTED]

Signature Witnessed by: (71)



Continuation of Statement of: [REDACTED]

Page 3

Obviously, nobody has the right or authority to assault me in this way in what was clearly an unprovoked attack.

Victim Personal Statement (VPS)

PC 2906 Woodruff has explained the VPS to me and what follows is what I wish to say in relation to this matter.

"I did not expect to be stabbed whilst out with friends, I go to Viper Rooms every Tuesday and do not expect this to happen. I'm really angry that he's done this".

As a result of this attack I now have a 1 1/2" wound to my left upper leg just below my hip.

Signature: [REDACTED]

Signature Witnessed by:

72

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 14KX/6658/15

Statement of [REDACTED]

Age if under 18: Over 18

Occupation: [REDACTED]

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: [REDACTED]

Date: 30/09/2015

Tick if witness evidence is visually recorded  (supply witness details on rear)

Yesterday, Tuesday 29th September 2015, was my birthday. In the evening, myself and a group of friends met up at the student residence, where we had some drinks, then we went into Sheffield city centre around 11 pm.

I was drinking vodka and lemonade at the residence, and felt a bit drunk, then we took a taxi to Carver Street, and went to a club called Viper Rooms. Once in Viper Rooms, I had a cocktail, but not much else, and I think I started to sober up a bit. We were a group of about 20 initially, but by the time the incident I will talk about happened, quite a few had gone home, and I was with a group of about 10. At no point in the evening did I have any kind of run-in with anyone, nor anyone from my group, that could have been the cause of me being stabbed.

Around 1.30 - 2am, now the early hours of Wednesday 30th September 2015, I was with my group of about 10. We were on the ground floor of the club. There is a bar down the left hand side and a raised VIP area to the right. At the far end of the club are some stairs to a lower level. The toilets are back near the entrance to the club, and there is a smoking area outside the front of the club, to

Signature: [REDACTED]

Signature Witnessed by: J DE LA TORRE DC  
3547

73

Continuation of Statement of: [REDACTED]

Page 2

the right, as you look at it from the door (front).

My group was around a vertical support beam, nearly in the middle of the club and slightly towards the VIP area. I needed the toilet, so I made my way to the toilets to the left of the main entrance door. There were quite a few people in the club, so I made my way past them, but couldn't help bumping into a male on the way. This happened as I started to turn right to the toilets having reached the end of the bar. My right shoulder bumped into his right shoulder. No words passed between us. I stood back a little, and motioned for him to pass me, as we were heading in opposite directions. As I stood back, we were chest to chest, less than a hand's length between us.

I noticed that he had both of his hands down out of sight, and instead of moving past me, he just stared straight at me, his eyes really wide. He stared at me like that for a few seconds. I then tried to move away, and as I did so, I saw his right arm move. It was a slight sideways move, and my first thought was that he was pushing me away. However I could feel pain in my groin area and I initially put my hand onto the right side of my groin, and found that my trousers had a rip on them. I then felt down my right groin area, and I could feel that it was wet, and that I was bleeding. The male who had been less than a foot from me, standing face to face, left immediately, and carried on towards the smoking area. There was no way that anyone, other than that man in front of me, could have done this.

Initially, I didn't know what to do. I turned and walked back towards the way I had come, and sat on a ledge below the VIP area, with the VIP booth slightly to my right. I sat there inbetween 2

Signature: [REDACTED]

Signature Witnessed by: (74)

Continuation of Statement of: [REDACTED]

Page 3

people who I don't know and told them that I had just been stabbed. There was a bouncer on the steps on the corner of the raised VIP area and I tapped him on the shoulder and told him that someone had stabbed me. He took me outside the front of the club, where one of my friends happened to be. I gave details of what had happened. I could see into the smoking area, and I believe that I saw the man who stabbed me hug another male. A lady then came and took me downstairs, where she gave me first aid, and bandaged my leg.

Whilst I was outside, and before I was bandaged up, a different bouncer came up to me, and asked me to look at a couple of men to see if I could recognise the man who had stabbed me. One man came outside, then another - it was neither of them. After I was bandaged up, I came back outside and stood with my friend, [REDACTED] who was still there. I had my back to the railings that divide Carver Street from Viper Rooms. The third man that came out I recognised immediately. I said to the bouncers "Thats him" as I could clearly see that was the man who had been standing in front of me, and had stabbed me.

Almost as soon as the words left my mouth, this male who I had identified began to start running out of the club towards the street. He was already outside, but ran straight into some bouncers near the street. They took hold of him, and took him down onto the ground as he was struggling to get away. The last I saw was when he was on the ground. I got into a taxi, and left to go to the Northern General Hospital.

Once at the hospital, my wound was cleaned with saline. I was then given a local anaesthetic, and had 6 stitches to close the wound that is about 2 - 2 1/2 inches long. Clearly no-one has any right

Signature: [REDACTED]

Signature Witnessed by: (75)

Continuation of Statement of: [REDACTED]

Page 4

to do this to me.

The male who stabbed me is a complete stranger to me. I had never seen him before I bumped into him at the club. As we stood face to face, he was less than a foot away from me for a couple of seconds before his arm moved, and I was stabbed. When I saw him hug a male in the smoking area, I was about 20 metres from him. In the club, it was dark, but with plenty of lights around for me to see his face. Outside, it was lighter looking over into the smoking area. When I saw him, and identified him outside, he was about 4-5 metres away, the lights are quite bright meaning the area is well-lit. There is no doubt in my mind that the person I identified, and saw detained, is the same person who stabbed me.

I can describe him as short - about 5' 7", fat, short beard, Asian man, early 20s. He was wearing a long sleeved 'polo' I think, with buttons down the front to chest area in a dark colour. I can't recall his lower half.

My injury today is quite sore. A couple of the stitches have come out, which is making it even more sore. The wound is to the inside of the upper left leg.

I have been informed of the Victim Personal Statement. I would rather do this later on.

Signature: [REDACTED]

Signature Witnessed by: (76)

2010/11

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 14KX/6658/15

Statement of LUCIE KATE OVEREND

Age If under 18: Over 18                      Occupation: 2636

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: LUCIE KATE OVEREND                      Date: 06/11/2015

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a police officer employed by South Yorkshire Police currently stationed at Snig Hill Police Station, Sheffield.

On Wednesday 30th September 2015 I was on duty in company with PC 3617 Douglas on mobile patrol in Sheffield City Centre. Due to information received, approximately 02.10 hours we attended outside The Viper Rooms, Carver Street, SHEFFIELD.

Upon our arrival we met with door staff of The Viper Rooms who had detained a male on the floor, I later found this male to be [REDACTED] was struggling with staff, trying to break free from their hold. Staff explained [REDACTED] had been identified as being responsible for stabbing 3 individuals inside the premise earlier in the evening, the whereabouts of these victims and extend of injuries were not clear at this time.

Due to severity of the incident, I requested the assistance of other officers. Whilst PC 3617 Douglas remained with [REDACTED] I spoke with the management of Viper Rooms to ascertain

Signature: 2636 LUCIE KATE OVEREND

Signature Witnessed by:

77

exactly what had happened, it was then clarified there was 3 victims, 2 of which were on their way to A&E, the other had received a stab wound to the abdomen and was receiving treatment in an ambulance close by to Viper Rooms. I obtained the details of the injured parties in my pocket notebook and liaised with my colleagues in order for PC 3617 Douglas to effect an arrest.

By this point [REDACTED] had been placed into a police van and was then conveyed to the Charge Office Bridge Street.

Signature: 2636 LUCIE KATE OVEREND

Signature Witnessed by:

78

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

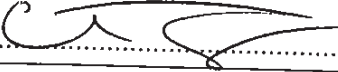
URN 

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Statement of Christopher THOMPSON .....

Age if under 18 Over 18 .... (If over 18 insert "over 18") Occupation: Police Constable 134 .....

This statement (consisting of 4. page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature  PC 134 ..... (witness) Date: 29<sup>th</sup> October 2015

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Police Constable serving in South Yorkshire Police currently stationed at the Operations Complex, Sheffield as an Authorised Firearms Officer.

At 03:00 hours Wednesday 14<sup>th</sup> October 2015 I was on mobile duty, in full uniform and in company with PS 163 BROWN. At that time we were patrolling Sheffield City Centre in support of the local district officers as it seemed particularly busy with night-time economy customers when I received a message from the control room regarding an incident occurring at the Viper Rooms nightclub on Carver Street. It was reported that a male had been seen inside the club in possession of a knife. At that moment, PS BROWN and I were already on foot on Carver Street dealing with an unrelated incident.

As a result of the information passed, I walked up to the main entrance of the Viper Rooms and spoke with a member of door-staff who initially stated that he was not aware of any incident that required police attendance. At that time, it seemed like the club was closing because hundreds of people were walking out of the main door past me and out on to the street. It was extremely noisy and I would describe the situation as chaotic. I was then approached by a male who identified himself as the manager of Viper Rooms. He stated that he had contacted police and pointed me towards a young male who had allegedly witnessed someone in the club with a knife. I attempted to speak with the male but he was extremely drunk and quite

Signature:  PC 134 ..... Signature Witnessed by: .....



Continuation of Statement of: Christopher THOMPSON

Page 2

uncooperative. He made little sense and seemed annoyed at my presence. It was impossible to take any coherent account from the male so I took the decision to advise him regarding his behaviour and told him to leave the area.

Whilst trying to deal with that incident I was then approached by a male who I recognised from previous incidents as the head doorman of Viper Rooms. He explained to me that a member of staff had been assaulted inside the club and requested that I speak to her. As a result of speaking with the staff member I arrested a male stood on Carver Street on suspicion of assault.

I escorted the male to a nearby police vehicle where PC's 3853 ROBINSON and 917 CROSSLAND were stood. I was then approached by the head doorman again. He stated that he knew where the male was who had been in possession of the knife and explained he was stood on Carver Street just up from the entrance to Viper Rooms. PC CROSSLAND and I walked up Carver Street and approached a male who had been pointed out to us. At that time, there were hundreds of people out on the street blocking the road and making access on Carver Street very difficult. I approached the identified male from his right side and took hold of his right arm. I explained who I was and that I intended to search him due to my suspicion that he may be in possession of a knife. Almost immediately, we were surrounded by other people who all wanted to get involved. I was being shouted at, jostled and had people grabbing my body armour in an effort to pull me away from the male. At the same time, the male put his left hand in his pocket and dropped something on the floor. I heard the sound of metal hitting the floor and looked down to see a box-cutter style knife immediately at my feet. I stood on the knife to prevent anyone else from picking it up. PC CROSSLAND, who had been stood on my right shoulder, immediately took hold of the male's left arm and I quickly picked up the knife. The mood of the crowd then deteriorated further. I would estimate that about thirty people had surrounded us. They were all aggressively shouting and swearing whilst grabbing us and the detained male in an effort to prevent us from making an arrest.

Signature:  Signature Witnessed by: .....

Continuation of Statement of: Christopher THOMPSON

I knew that we had to get away from the entrance to Viper Rooms as that is where the largest concentration of people were stood. I used bodily pressure to push through the crowd whilst still holding on to the detained male's right arm. PC CROSSLAND and I walked down Carver Street and over the junction with Division Street where our vehicles were located. I was aware that we were being followed by the agitated and hostile crowd.

As we reached the point where our vehicles were parked we seemed to get cut off by the group. I was aware that PC CROSSLAND had requested assistance from other officers by using his personal radio. I was shouting at people to get back and trying to free my right hand in an effort to allow me to push people away but it felt like I was penned in against the side of the vehicle. I could feel different impacts on the back of my body armour and knew I was being assaulted although I did not feel any pain. Every time I turned my back to deal with a different threat I also knew I was being spat on because I could feel it on the back of my head. I then saw a hand reach across from over my shoulder and grab PC CROSSLAND'S radio before it was ripped from his body armour attachment. The radio was quickly returned by a member of door staff from Viper Rooms before a number of them helped to push the crowd back.

A short time later, other officers arrived on the scene and order was restored although the hostile crowd remained on Carver Street and I was aware that sporadic instances of fighting were occurring around me. Another violent male was arrested by other officers on the opposite side of the road before the detained male we had with us was arrested by PC CROSSLAND. We then managed to place both prisoners into the rear of police vehicles before attending custody.

I have been a police officer for nine years, six years of which was spent as a police support unit constable trained to deal with large-scale public order. I have policed dozens of football matches, protest marches and provided support to the Metropolitan Police during the riots of 2011 but I have never been surrounded

Signature:  PC 138..... Signature Witnessed by: .....

Continuation of Statement of: Christopher THOMPSON

Page 4

by an aggressively hostile group in the manner I have described above. I feel fortunate that none of my colleagues nor myself were injured as a result of this incident.

Signature:  Signature Witnessed by: .....

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of PC 2012 Andrew RIMMER .....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Constable .....

This statement (consisting of ... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature ..... (witness) Date: 29/10/15.....

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Police Constable based at Snig Hill Police Station currently serving with South Yorkshire Police.

On Wednesday 14 October 2015 at 02:30 I was on uniformed mobile patrol, I was single crewed and directed to attend the Viper Rooms venue, Carver Street due to reports that a female had received a glassing injury to her head. I was directed to the rear of the venue.

Upon arrival I was joined by colleagues PS 650 BOOTH and A/PS 1658 SORSBY, Ambulance were already on scene.

I entered the rear of Viper Rooms and spoke to a female briefly who I now know to be [redacted] of a Derby Address. [redacted] had a laceration to above her left eyebrow, she was well in drink and receiving treatment from ambulance staff.

Staff at the Viper Rooms were present, they had provided initial first aid to [redacted] and stated they would be able to review and provide CCTV of the incident if required.

I spoke to a female I now know to be [redacted] who identified herself as [redacted] friend. [redacted] provided an account to myself where she states that there was an outbreak of disorder on the dance floor of the Viper Rooms near to the DJ booth. There was lots of people pushing each other and one unknown male threw a glass at [redacted] which collided with her head before fleeing the venue.

[redacted] was also in drink and was only able to offer a brief description of the suspect to myself, she reported that the suspect was a tall black male, short afro style hair and a black T-Shirt.

[redacted] and [redacted] were both furnished with the incident number and my contact details. [redacted] was conveyed to NGH by ambulance to receive further treatment.

Shortly after this incident I returned to Carver Street due to the large amount of incidents of disorder breaking out from people who had left the Viper Rooms upon the venue closing. The vast majority of these persons were very anti police and violent towards each other and officers, I was aware of multiple PAVA Spray deployments by colleagues as well as many persons who were violent upon arrest. I assisted many officers in detaining persons for varying Public Order Offences, I myself made no arrests.

Signature: ..... Signature Witnessed by: .....

Continuation of Statement of: PC 2012 Andrew RIMMER

PS 650 BOOTH stated to myself approximately 45 minutes after we had resumed from the initial incident at the Viper Rooms he had seen [REDACTED] walking along Carver Street. [REDACTED] has made no attempt to contact myself since this incident, [REDACTED] has not returned any of my telephone calls to provide a statement.

I have taken no further part in any of the matters from Vipers Rooms that evening.

Signature: ..... Signature Witnessed by: .....

**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN 

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Statement of **Matthew LANNIE** .....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: **Police Constable 2142** .....

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature  ..... (witness) Date: **29<sup>th</sup> October 2015**

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Police Constable within South Yorkshire Police, currently stationed at Snig Hill Police Station, Sheffield.

On Wednesday 28<sup>th</sup> October 2015 at about 03.00hrs I was on duty in full uniform in company with PC 1238 UCCELLINI Call Sign KR81 when we were tasked to Viper Rooms, Carver Street, following reports of an alleged serious assault at that location where a female had been injured to her forehead by a glass being thrown by another female who had then been detained by staff.

Upon arrival at the scene, there were groups of males stood outside, as I walked through the crowd I could hear males voices shouting "LOOK AT THESE CUNTS"

I checked the injured party and was then led by the manager inside the entrance where he pointed out the alleged offender.

I arrested the offender, placed her in hand cuffs and led her out through a hostile crowd to the vehicle, whilst walking through the crowds I could hear males voices shouting "FUCKING COPPER CUNTS".

I placed the suspect in the car and due to the hostile crowd I locked it and returned to assist my colleague, as I walked back through, I was subject to more abuse, there was a large party of males stood outside the front of the location on the other side of the fence. I listened as they kept shouting "FUCKING COPPER CUNTS".

I took a position where I could see my colleague to monitor his safety and where I could see the vehicle with the suspect in it.

Signature:  ..... Signature Witnessed by: .....

Continuation of Statement of: Matthew LANNIE .....

There were no other bars open at that time and it was clear to see that all the crowds had come from Viper Rooms. I requested assistance to show a presence on Carver Street for public safety.

There were groups of males in the area and on 2 occasions whilst driving down the road we had to request males to step out of the middle of the road. Each time the males became abusive shouting towards us.

Signature:  Signature Witnessed by: .....

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 

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Statement of Pc 1238 Uccellini

Age if under 18 Over 18.... (If over 18 Insert "over 18") Occupation: Pc 1238

This statement (consisting of ... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature [Signature] Pc 1238 (witness) Date: 28/10/15

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Police Officer with South Yorkshire Police, currently stationed at SNIG HILL POLICE STATION.

On Thursday 28/10/15 at around 03.00hrs I was on full uniform patrol in company with Pc 2142 LANNIE and we attended at VIPER ROOMS, CARVER STREET, SHEFFIELD. This was in relation to an alleged serious assault at that location where a female had been injured to her forehead by a glass being thrown by a female who had been detained by staff.

Upon our attendance I spoke to the injured party who was sat in the front garden area behind the front fence.

A male who I believed to be part of the management spoke to my colleague and informed him that they had the suspect in the front of bar area.

There was a large party of males stood outside the front of the location on the other side of the fence and they immediately started shouting WANKER, FUCKING COOPERS, CUNTS towards myself and my colleague.

The suspect was taken away by colleague and he then returned and I asked the male who I believed to be management to show me the area where the assault took place. He took me into the front of the bar area and I saw glass all over the floor. I was shocked to see how much glass there was on the floor and was unable to find any evidence of the glass used due to the amount on the floor.

Signature: [Signature] Pc 1238 Signature Witnessed by: \_\_\_\_\_



Continuation of Statement of: PC 1238 Uccellini

I requested CCTV of the area and the incident and walked out onto the front garden area. There was still numerous persons stood outside the bar on CARVER STREET who all seemed to very intoxicated. They were all shouting loudly and due to the large number of intoxicated persons my colleague asked for assistance from other officers to show a presence.

We then conducted an area search for a suspect around CARVER STREET, DIVISION STREET AND WEST STREET. There were groups of males all in the area and on 2 occasions, we had to request males to step out of the street whilst we were driving. Each time the males became abusive shouting towards us. At that time there were no other bars open and I believe that these drunk abusive groups of males had been in VIPER ROOMS that evening.

Signature: [Signature] PC1238 Signature Witnessed by: \_\_\_\_\_

**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

- and -

**Viper Rooms/Viper Lounge  
35 & 35a Carver Street**

Respondent

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**WITNESS STATEMENT OF  
Andrea Marsden**

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1. I am employed by South Yorkshire Police as a civilian Licensing Enforcement Officer based in Sheffield. I have been in my current role for approximately 5 years and predominantly work alongside the licensed premises within Sheffield City Centre. As part of my role, I monitor incidents at licensed premises and carry out intervention work with the management to ensure that they are working towards the licensing objectives.
2. Following a serious incident at the Viper Rooms/Viper Lounge, Carver Street on the 30<sup>th</sup> of September 2015 whereby three customers had allegedly been stabbed within the premise an urgent meeting was arranged with the Designated Premise Supervisor, Mr David Burgess. The meeting was held at the premise together with Police Sergeant Burdett.
3. Mr Burgess informed us that he had been working at the premise when the incidents occurred. We discussed the delay in contacting the police either by CCRAC radio or the 999 system.

Mr Burgess stated that the female victim presented to the staff first and said that she had been stabbed in the leg. At that time she appeared to be coherent

and was with friends and using her mobile phone. The injury was looked at by a first aider and he made the decision that she was 'walking wounded' but in hindsight he should have contacted the police at that point.

A member of staff transported the female victim to the hospital.

Whilst this matter was still ongoing another injured person, a male presented to staff stating he had also been injured. At that time Mr Burgess stated that he was not aware that this injury was similar to the first victims and again first aid was administered by staff. During that period door staff had detained a male fitting the description but found no trace of any weapon and it later transpired this male was not connected.

Again whilst this was ongoing another injured person presented to staff, the police were called and door staff had detained another male fitting the description who had a flick knife secreted under his trouser belt.

Mr Burgess stated that all this incident happened within a 15 minute period and he stated that it was only then that he had made the connection between all three injured parties, again with hindsight he agreed that he should have contacted the police immediately.

We advised Mr Burgess that any further incidents should immediately be called into the police and reported particularly if a victim is stating that they have been stabbed.

He also informed us that he would be revisiting the search policy and was advised to have at least a one in ten search of customers entering the premise. A full incident report relating to the three injured parties would be logged by Mr Burgess.

He was also advised that the police licensing team would be monitoring any further incidents at the premise.

4. Following an application for an Expedited Review of the premise licence on the 28<sup>th</sup> October 2015 and after interim steps had been applied by the Licensing Sub Committee I attended a pre-arranged meeting with Police Inspector Mutch at Snig Hill police station. This was at the request of the Viper Rooms management, Mr Paul Kinsey. Also present was the DPS, Mr David Burgess and police licensing officer Cheryl Topham.

Mr Kinsey informed us that the last incident on the 28<sup>th</sup> of October, whereby a female was injured by a champagne glass the Tuesday night event had been changed from 'Risque'. The night of the last incident (28<sup>th</sup>) had been a student night and advertised as NUS access only ahead of the re-opening on that date and a new music policy had been fetched in to alter the mood of the crowd within the premise.

He also stated that there had been door staff close to the incident prior to it happening and that it appeared to have occurred as the club was emptying. This has resulted in a member of door staff being removed from working at the premise as Mr Kinsey believed that staff should have intervened at the earliest opportunity to avoid this type of incident.

Mr Kinsey made proposals of actions that would be implemented at the premise on a Tuesday night if they are able to re-open following a further hearing before the licensing board on Monday 2<sup>nd</sup> November.  
(A copy of the actions proposed are within the review papers).

Inspector Mutch informed Mr Kinsey that officers attending the incidents had described large amounts of glass on the floor within the venue. He stated that this could be down to bad housekeeping on the venues behalf and agreed that on Tuesday nights polycarbonate glasses would be used although he was keen to continue to use champagne bottles in the VIP area.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed..........

Dated.....9/11/15.....

**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

- and -

**Viper Rooms/Viper Lounge  
35 & 35a Carver Street**

Respondent

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**WITNESS STATEMENT OF  
Police Sergeant 1968 Matthew BURDETT**

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1. I am a Police Sergeant in the South Yorkshire Police based at Snig Hill police station within the City centre of Sheffield. Over the last 8 years, I have worked within Sheffield city centre Safer Neighbourhood Team and my responsibilities during that time have included licensing and crime and disorder in the night time economy.
2. Following a serious incident at the Viper Rooms/Viper Lounge, Carver Street on the 30<sup>th</sup> of September 2015 whereby three customers had allegedly been stabbed within the premise. An urgent meeting was arranged with the Designated Premise Supervisor, Mr David Burgess. The meeting was held at the premise together with Andrea Marsden, a police licensing enforcement officer.
3. Mr Burgess informed us that he had been working at the premise when the incidents occurred. We discussed the delay in contacting the police either by CCRAC radio or the 999 system.
4. Mr Burgess stated that the female victim presented herself to staff and informed them that she had been stabbed in the leg. At that time she appeared

to be coherent and was with friends and using her mobile phone. The injury was looked at by a first aider and he made the decision that she was 'walking wounded' but in hindsight he should have contacted the police at that point. A member of staff transported the female victim to the hospital.

5. Whilst this matter was still ongoing another injured person, a male presented to staff stating he had also been injured. At that time Mr Burgess stated that he was not aware that this injury was similar to the first victims and again first aid was administered by staff. During that period door staff had detained a male fitting the description but found no trace of any weapon and it later transpired this male was not connected.
6. Again whilst this was ongoing another injured person presented to staff, the police were called and door staff had detained another male fitting the description who had a flick knife secreted under his trouser belt.
7. Mr Burgess stated that all this incident happened within a 15 minute period and he stated that it was only then that he had made the connection between all three injured parties, again with hindsight he agreed that he should have contacted the police immediately.
8. We advised Mr Burgess that any further incidents should immediately be called into the police and reported particularly if a victim is stating that they have been stabbed.
9. He also informed us that he would be revisiting the search policy and was advised to have at least a one in ten search of customers entering the premise. A full incident report relating to the three injured parties would be logged by Mr Burgess.
10. He was also advised that the police licensing team would be monitoring any further incidents at the premise.
11. At 0800hrs on Wednesday 14<sup>th</sup> October 2015. I was made aware of the following incidents;

At 00.47hrs on Wednesday 14<sup>th</sup> October 2015 report of a female having been assaulted outside the toilet area within the premise by another female. This group of females had been lawfully ejected from the club by door staff and caller stating that the offender was still in the premise. The injured female reported a bruise to her arm, lump on the head; her eyes were sore, as drink had been thrown in them. Door staff were spoken to and stated that a group of females inside had had a disagreement, one was lawfully ejected, once informed the police were attending all parties had left. The investigation is still ongoing.

At 02.19hrs on Wednesday 14<sup>th</sup> October 2015 ambulance control reported a 20 year old female had been glassed and had a head injury, she was described as being conscious but not alert.

Officers attended and PC 2012 Rimmer spoke briefly to the injured female prior to her being transported to the NGH by ambulance. A copy of PC Rimmer's statement is within the review papers.

The investigation is still ongoing and remains undetected at this time.

At approximately 01.45hrs on Wednesday 14<sup>th</sup> October 2015 a female reported that she had been outside Viper Rooms with her friend in the smoking area provided when a male known to her has become agitated and pushed the females friend to the floor. The female has tried to assist her friend and the male has punched her in the face knocking her to the floor causing bruising to the left side of her chin, a bruise to her right arm and left shoulder.



Her friend also reports being assaulted by the same male at the same location stating that this male had 'kicked off', grabbed her by the hair and thrown her to the floor before leaving the area.

At approximately 03.00hrs on Wednesday 14<sup>th</sup> October 2015 a call is received from the Designated Premises Supervisor (DPS) at Viper Rooms reporting that the premise was due to close and that he had been approached by another customer stating that someone had a knife. This had not been seen by the DPS but he was concerned due to the premise closing and customers leaving the venue into the street.

Officers attended the scene and spoke with a male and whilst dealing with this male a large crowd has followed. This male was subsequently detained. PC 134 Thompson has now provided a statement in relation to this incident which is within the review papers.

During this incident a female member of staff reported that she had been assaulted by a male inside the premise. The complainant is a member of staff and stated that throughout the evening a male had been paying her unwanted attention. She had complained to the door staff numerous times about this male's behaviour. Around 03.00hrs, she was stood near him and this male has backhanded her across the face causing pain. He has then left the club and stood at the entrance door. The complainant has pointed the male out to both door staff and the police officers in attendance. He was subsequently arrested and charged with common assault.

At approximately 03.45hrs on Wednesday 14<sup>th</sup> October 2015, officers were already present on Carver Street following disorder there when they witnessed a fight breaking out of Viper Rooms into the street. Officers saw a male swinging punches towards another member of the public and acting aggressively.

The male was detained and due to his demeanour, it was deemed necessary for officers to use PAVA spray to gain compliance with the male.

Upon receiving this information, I immediately contacted Mr Dave Burgess and requested that he attend Snig Hill police station in order to discuss the reports of disorder outlined above.

13. At approx 1100hrs on Wednesday 14<sup>th</sup> October, Mr Dave Burgess and the owner of Viper Rooms Mr Paul Kinsey attended Snig Hill police station. A meeting then took place with them and PC1976 Tom Phelan and I. All the incidents that had taken place at the venue over the previous few months, outlined in the review papers, were discussed and concerns were raised due to the previous interventions implemented by the venue after the meeting on the 30<sup>th</sup> September 2015 clearly had been ineffective.

14. Mr Paul Kinsey stated that he has unaware of some of the incidents raised and that clearly there were some housekeeping issues that needed addressing. He asked if he could be allowed sometime to discuss a management plan with Mr Dave Burgess and his security team with a view to submitting to us that day.

15. At 1511hrs. I received an email from Paul;

“As discussed I am keen to resolve the matter without the need for a formal license review and to demonstrate sufficient change to the policy and procedures to give the police confidence that the session will be genuinely re positioned forthwith.


I would propose the following actions to achieve the objective and would appreciate your comment and agreement to the action plan as being sufficient”

- The Tuesday Risqué session will cease with immediate effect.
- The venue will remain closed next Tuesday night (October 20<sup>th</sup>)
- A new House music led session will be launched the Tuesday following (October 27<sup>th</sup>) with a girl friendly and student only admission policy
- The admission policy will be NUS only.
- A search policy of 1 in 10 customers will be introduced on all trading nights and I will submit a minor licence variation for your agreement. We will keep records of search numbers each session.
- All door staff will be the subject of re training to ensure that the level of vigilance and awareness is 'sharpened up' for all sessions.
- The guest DJ last night Russki will not be used again in the city in any of my venues. He has as I said appeared a number of times before without any issues but the scale of his profile and fanbase now is not appropriate for us to host.

16. These proposals were presented to Superintendent Shaun Morley. He agreed that they were proportionate to the circumstances and promoted the licensing objectives. Mr Paul Kinsey was informed of this approval and was informed that the licensing team would be monitoring the venue for any further incidents and action may be taken against the venue if there were any further occurrences.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed  81.1968  
Dated... 12<sup>th</sup> November 2015.

## Viper Rooms Management Action Plan

The following actions were agreed following a meeting of Paul Kinsey and Dave Burgess with the police on Wednesday October 14<sup>th</sup>

1. Tuesday Risqué session to close immediately
2. New session to be launched on Tuesday 28<sup>th</sup> October
3. 1 in 15 customers will be searched with emphasis on males
4. Records of searches to be kept
5. Only NUS will be admitted to the session and promoter staff and networkers
6. Music policy to be house music led

### **Additional actions implemented on 29<sup>th</sup> October**

The only incident on the Tuesday 27<sup>th</sup> October was involving 2 female students. There were a significant number of refusals to entry at the front door.

The change in drinks sales mix clearly showed a different profile of audience to the Risqué sessions, although further steps are required to eliminate NUS card holders who may pose a risk.

The only glasses served that were not polycarbonate were champagne glasses.

Following a meeting with the police PK has proposed that the following further actions are taken

### **Admission policy**

1. The front door admission policy will be reviewed to modify the NUS only policy to increase strictness on broader criteria, as both girls on Tuesday were students.
2. 1:15 search policy to be maintained and voluntary licence condition has been submitted

### **Internal supervision**

1. An internal head door person position will be created who will take responsibility for the door-staff inside the venue which will further increase supervision levels
2. Doorstaff/customer ratio will be held at a new ratio of 1:70
3. All support management will be placed on an SIA training course within 6 weeks.
4. For the first weeks post re opening Paul Kinsey will attend the session along with another qualified DPS from the company to review the detail of the operation in terms of:
  - Audience quality
  - Music policy
  - Internal door supervision
  - Quality of support management supervision skills

- General housekeeping

Following this process of weekly review the management action plan will be updated weekly to highlight and eradicate any residual risk issues

5. Music policy will be further adapted to maintain a light hearted feel to the room
6. Only poly carbonate glass will be used on the Tuesday session.
7. Only PET bottle beers will be served on a Tuesday night.
8. There has never been a bottle related incident on any night so it is proposed to serve champagne and bottles of spirit in the **VIP area only** which is supervised by 4 waitresses and a specific door supervisor. .All glassware in VIP will be PET. This will ensure that the 'top end' of the market is not alienated.

### **Dispersal**

1. Doorstaff will ensure that customers that are exiting the building are encouraged actively to move away from the building and not congregate outside the gates. Also they will be encouraged actively to behave in a respectful and considerate manner
2. Internal dispersal will be supervised by the internal head door person and one of the senior venue management
3. Dispersal will be deliberately staggered over the 30 minutes post closure to allow orderly dispersal and minimize congregation outside.

# APPENDIX G

**Notice of hearing to consider an  
application for review of premises  
licence and any relevant representations**

To: Carole Collingwood/Chris Rees Gay.

The Sheffield City Council being the licensing authority, on the 28<sup>th</sup> October 2015 received an application from South Yorkshire Police for a Summary Review of a Premises Licence in respect of premises known as Viper Rooms/Viper Lounge, 35/35a Carver Street, Sheffield, S1 4FS.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **25/11/15 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the application for review, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to the application made for review the Premises Licence.

**You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated 16/11/15

Signed \_\_\_\_\_  
The officer appointed for this purpose

Please address any communications to:

The Licensing Service  
Business Strategy and Regulation  
Place Portfolio  
Block C, Staniforth Road Depot,  
Staniforth Road, Sheffield, S9 3HD.



## NOTES

### Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

### Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
  - (b) if given permission by the authority, question any other party; and
  - (c) address the authority

### Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

### Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
  - (b) permit him to return only on such conditions as the authority may specify, but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

## STREET TRADING CONSENT APPLICATION

### SUB-COMMITTEE HEARING PROCEDURE

This procedure has been drawn up to assist those parties attending Street Trading Consent Committee hearings.

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants and interested parties to formally introduce themselves.
3. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
4. Hearing Procedure:-
  - (a) The Licensing Officer will introduce the report.
  - (b) Questions concerning the report can be asked both by Members and the applicant.
  - (c) The applicant/consent holder (or his/her nominated representative) will then be asked to:-
    - (i) detail the application;
    - (ii) provide clarification on the application and respond to the representations made.
  - (d) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the applicant and/or his/her representative.
  - (e) Consultees / interested parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised.
  - (f) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the consultees / interested parties.
  - (g) The consultees / interested parties will be invited to sum up. A maximum of 5 minutes will be allowed.
  - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
  - (i) The Licensing Officer will then detail the options.
  - (j) There will then be a private session for Members to take legal advice and consider the application.
  - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
  - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.

- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
  - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

**There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.**